

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSHUA OSMUN KENNEDY,

Petitioner,

v.

UNITED STATES,

Respondent.

CASE NO. C12-1088RAJ

ORDER

This matter comes before the court *sua sponte*. On September 4, 2012, the court granted the parties' joint motion to stay proceedings until the Ninth Circuit issued its pending opinion in *United States v. Cotterman*, No. 09-10139. Dkt # 7. The court ordered petitioner to file an amended section 2255 petition with thirty days of the opinion that specifically addressed the *Cotterman* opinion.

The Ninth Circuit issued the *Cotterman* opinion on March 8, 2013. *U.S. v. Cotterman*, 709 F.3d 952 (2013). The court lifts the stay and ORDERS petitioner to either file an amended petition that specifically addresses *Cotterman*, or to advise the court whether he voluntarily dismisses his § 2255 petition in light of *Cotterman*. Petitioner shall file the amended petition or notice of dismissal no later than June 14, 2013.

1 Dated this 25th day of April, 2013.

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5 The Honorable Richard A. Jones
6 United States District Judge
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